



## MINUTES of the Meeting of the

### San Luis Obispo County Subdivision Review Board

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Larry Allen  
Richard Marshall  
Richard Lichtenfels  
John Nall  
John Euphrat

**MEETING DATE: Monday, January 3, 2005**

#### **MEETING LOCATION AND SCHEDULE**

Regular Subdivision Review Board meetings are held in the Board of Supervisors Chambers, County Government Center, San Luis Obispo, on the first and third Mondays of each month. The meeting schedule is as follows:

Meeting Begins:			9:00 A.M.
Morning Recess:	10:30	-	10:45 A.M.
Noon Recess:	12:00	-	1:30 P.M.
Afternoon Recesses:	2:30	-	2:45 P.M.

*ALL HEARINGS ARE ADVERTISED FOR 9:00 A.M. THIS TIME IS ONLY AN ESTIMATE AND IS NOT TO BE CONSIDERED AS TIME GUARANTEED. PUBLIC AND APPLICANTS ARE ADVISED TO ARRIVE EARLY.*

**PRESENT:** Laurie Salo, Environmental Health  
Richard Marshall, Public Works  
Aeron Arlin-Genet, Air Pollution Control District  
John Euphrat, Chairman, Planning

**ABSENT:** John Nall, Environmental Division, Planning

**OTHERS PRESENT:** Jim Orton, County Counsel

**STAFF PRESENT:** James Caruso  
Stephanie Fuhs

The meeting is called to order by Chairman Euphrat.

The following action minutes are listed as they were acted upon by the Subdivision Review Board and as listed on the agenda for the Regular Agenda of January 3, 2005, together with the maps and staff reports attached thereto and incorporated therein by reference.

Speaker	Note
Meeting called to order	
Roll Call	John Nall, absent
Chairman Euphrat	States a letter of withdrawal has been received on the Pierson item, S000385P / CO 01-0070.
Public Comment Period	Members of the public wishing to address the Subdivision Review Board on matters other than scheduled items may do so at this time, when recognized by the Chairman. Presentations are limited to three minutes per individual.
Ms. Arlin-Genet	States a Smart Growth Workshop will take place, sponsored by a number of agencies. Saturday, January 22, 2005 will be the first one. Saturday, February 5,

	2005 is the second. Following that a "summit" will take place Friday, March 11, 2005.
CONSENT AGENDA	
Ms. Arlin-Genet	Pulls items e and f for separate action. States December 6, 2004 Minutes require correction on page e-2, her comment should read " . . . fracturing of land outside the urban reserve line."; further, states she attended the November meeting in the audience and so can vote on those Minutes.
MOTION	<p>Thereafter, on motion by Mr. Marshall, seconded by Ms. Arlin-Genet, and carried, in the absence of Mr. Nall, to approve Consent Items a through d as presented, as follows:</p> <ul style="list-style-type: none"> <li>a. Parcel Map CO 99-0159 (S990214P) Request from <b>ROBIN GRATTAN, ET AL.</b> for a <b>3<sup>rd</sup> time extension</b> for tentative parcel map CO 99-0159, a two lot subdivision of approximately 5.53 and 0.8 acres in size into four parcels of 2.72, 1.79, 1.06 and 0.76 acres each. The site is located immediately east of the Central Business District, west of the Southern Pacific Railroad right-of-way between 2<sup>nd</sup> and 6<sup>th</sup> Streets in the community of Templeton, in the Salinas River Planning Area. Supervisorial District #1.</li> <li>b. Parcel Map CO 98-034 (S970176P) Request from <b>DOUG SHOULDERS / FILIPPONI</b> for a <b>5<sup>th</sup> time extension</b> for tentative parcel map CO 98-034, a subdivision of a 10.17 acre parcel into two parcels of 5.17 and 5.0 acres each, in the Residential Rural Land Use Category. The site is located at 485 S. 8<sup>th</sup> Street, southeast of the intersection of 8<sup>th</sup> Street and Peaceful Valley Lane, 0.25 miles south of the community of Shandon, in the Shandon-Carrizo Planning Area. Supervisorial District #1.</li> <li>c. Parcel Map CO 97-0021 (S970119P) Request from <b>VAUGHAN SURVEYS / KMBG, LTD.</b> For a <b>3<sup>rd</sup> time extension</b> for tentative parcel map CO 97-0021, a subdivision of a 160 acre parcel into three parcels of 51.7, 54.0, and 54.3 acres each, in the Agriculture Land Use Category. The site is located at 4255 and 4265 Adelaida Road, west of Highway 101 near the Hidden Mountain Road intersection, approximately 10 miles northwest of the City of Paso Robles, in the Adelaida Planning Area. Supervisorial District #1.</li> <li>d. Parcel Map CO 00-0187 (S000188P) Request from <b>TONY VOYLES / J.E. EDWARDS CO.</b> for a <b>2<sup>nd</sup> time extension</b> tentative parcel map CO 00-0187, a subdivision of a 29.96 acre parcel into three parcels of 7.46, 10.0 and 12.50 acres each, with approximately 21.93 acres of open space. The project is located at 2832 Branch Mill Road east of the City of Arroyo Grande in the San Luis Bay (Inland) Planning Area. Supervisorial District #4.</li> </ul>
MOTION	Thereafter, on motion by Mr. Marshall, seconded by Ms. Arlin-Genet, and carried, in the absence of Mr. Nall, to approve Consent Agenda item e. as changed, as follows:

	e. Minutes of December 6, 2004
MOTION	<p>Thereafter, on motion by Mr. Marshall, seconded by Ms. Salo, and carried, in the absence of Mr. Nall, to approve consent Agenda item f. as presented, as follows:</p> <p>f. Minutes of November 1, 2004</p>
1. NELSON County File No. SUB2003-00129	<p>This being the time set for hearing to consider a request by <b>Stephen and Clarece Nelson</b> for a Vesting Tentative Parcel Map to subdivide an existing 29,109 square foot parcel into two parcels of 9,637 and 19,472 square feet each for the purpose of sale and/or development. The proposed project is within the Residential Single Family land use category and is located on the east side of Christmas Tree Place (at 2725 Christmas Tree Place), in the community of Oceano. The site is in the San Luis Bay (Inland) planning area. APN: 062-303-062. Also to be considered at the hearing will be the Environmental Document prepared pursuant to the California Environmental Quality Act, Public Resources Code Section 21000 et seq. Mitigation measures are proposed to address Cultural Resources, and Public Services and Utilities. County File No. <b>SUB2003-00129</b>. Date Accepted: August 18, 2004. Supervisorial District #4.</p>
Stephanie Fuhs, staff	Gives the staff report. Conditions 23 and 24 were added to the staff report. Recommends approval and adoption of the Negative Declaration.
Mr. Marshall	Refers to Condition 24 and how that will be satisfied, with staff responding.
James Caruso, staff	States this can become part of the additional map sheet, Condition 19.
Mr. Marshall	Reads condition 2.a. into the record.
Terry Payne, Agent	Requests clarification of whether Condition 24 wording will be changed when moved, with Mr. Marshall responding it will not.
MOTION	<p>Thereafter, on motion by Mr. Marshall, seconded by Ms. Arlin-Genet, and carried, in the absence of Mr. Nall, to adopt the Negative Declaration, in compliance with the applicable provisions of the California Environmental Quality Act, Public Resources Code Section 21000 et seq., and to grant Vesting Tentative Parcel Map No. CO 04-0113 / SUB2003-00129 to <b>Stephen and Clarece Nelson</b>, for the above referenced project, based on the Findings in Exhibit A and subject to the Conditions in Exhibit B, with the following changes: change Condition 2.a. by adding "the project side of an A-2 section fronting the property, minimum paved width 24 feet." following the word "complete."; and move Condition 24 to become Condition 19.g., with no wording change.</p>
2. HALL, County File No. SUB2003-00q270 / COAL 04-184.	<p>This being the time set for hearing to consider proposal by <b>RUSTY HALL</b> for a Lot Line Adjustment to move five existing lot lines in order to create four lots of equal or better sizes for the sale and or development of each parcel in the Agriculture Land Use Category. The property is located in the county 1.8 miles south of Highway 46 east and approximately 0.4 miles south of Union Road at 1997 Geneseo Road where Geneseo Road makes the sharp turn, 5.6 miles east of the City of Paso Robles, APN'S: 015-061-008, 015-211-029,-041, 015-301-010,-011, in the El Pomar-Estrella Planning Area. Also to be considered at the hearing will be approval of the Environmental Document prepared in accordance with the applicable</p>

	provisions of the California Environmental Quality Act, Public Resources Code Section 21000 et seq. Mitigation measures identified for: Biological Resources and Public Service/Utilities. <b>County File Number: SUB2003-00270/COAL 04-184.</b> Date application accepted: August 8, 2004. Supervisorial District # 1.
Susan Callado, staff	Gives the staff report. Recommends adoption of Negative Declaration and approval of the project.
Chairman Euphrat	Requests clarification of locations of parcels, with staff responding.
Jim Orton, County Counsel	States an agreement for mitigations for Conditions 10 through the end will need to be entered into.
Tobey Osgood, EMK Associates, Agent	States she wishes clarification of the agreement for mitigations.
Jim Orton, County Counsel	Explains the mitigation agreement, stating this will supersede the Developer Statement. County Counsel's office prepares the agreement.
Tobey Osgood, EMK Associates, Agent	Regarding Condition 10, no artifacts were found. However, there was interest in the two old farm structures. Gives some details. Monitoring will occur on those areas during grading. However, in reading #10, the whole rest of the parcel has no limitations. Requests that be clearly stated in the conditions.
Susan Callado, staff	Reads new Condition 10 into the record.
MOTION	Thereafter, on motion by Mr. Marshall, seconded by Ms. Arlin-Genet, and carried, in the absence of Mr. Nall, to adopt the Negative Declaration, in compliance with the applicable provisions of the California Environmental Quality Act, Public Resources Code Section 21000, et seq., and to grant Lot Line Adjustment No. COAL 04-184 / SUB2003-00270 to RUSTY HALL for the above referenced project, based on the Findings in Exhibit A and subject to the Conditions in Exhibit B, with the following changes: Conditions 10 through 29 shall be renumbered to become Conditions 10.a. through 10.q., with new lead-in language at the beginning to read: "Prior to recordation of Certificates of Compliance or recordation of a parcel map, the applicant shall enter into an agreement with the County, in a form approved by County Counsel, by which applicant agrees to the following:"; and with new Condition 10.a. modified by inserting "within historical areas" following "If development occurs" in the fourth sentence."
3. Flagg, County File No. SUB2003-00018 / CO 04-0004	This being the time set for hearing to consider proposal by <b>DAVID FLAGG</b> for a Tentative Parcel Map to allow for a subdivision of a 39.50 acre parcel into two 19.75 acre parcels using Transfer Development Credits for the sale and development of each proposed parcel. The project will include the grading of two driveways and two house pads (one house on each proposed lot), in the Agriculture Land Use Category. The property is located in the county on the southwest corner of the intersection of Highway 41 East and Straw Ridge, 0.6 mile west of Creston Road approximately 1.87 miles north west of the community of Creston, APN: 043-051-004, in the El Pomar-Estrella Planning Area. Also to be considered at the hearing will be approval of the Environmental Document prepared in accordance with the applicable provisions of the California Environmental Quality Act, Public Resources Code Section 21000 et seq. Mitigation measures identified for: Aesthetics, Ag Resources, Air Quality, Biological Resource, Public Service/Utilities and Recreation. <b>County File Number: SUB2003-00018/CO 04-0004.</b> Date application accepted:

	February 13, 2004. Supervisorial District # 1.
Susan Callado, staff	Gives the staff report. States TDC's have been controversial this past year. However, this project is an appropriate use of TDC's. Describes project, displaying photos and maps overhead. Describes surrounding properties and uses. Recommends continuance to the next meeting, to allow Santa Margarita Advisory Council to review the project prior to final action. It will take place January 12, 2005.
Chairman Euphrat	Requests discussion of TDC's.
Jim Orton, County Counsel	States the Board must approve projects based on rules in effect at the time of the meeting, and no changes have taken place to date.
Tobey Osgood, EMK Associates, Agent	States Mr. Flagg is agreeable to the continuance. States it would have been more convenient had he known farther in advance. States the Ag Commissioner's office reviewed the project.
David Flagg, Applicant	States he has followed each and every detail of procedure to the best of his ability.
Eric Greening	States his agreement with the continuance to allow the Santa Margarita Advisory Committee review time. States there is concern regarding TDC Receiver sites in Agriculture category. States further this project falls short of criteria in the Ag & Open Space Element for creating agricultural parcels under 40 acres. Wonders about the location of the 90% irrigated lands. States the photographs presented did not show any irrigated land. States his feeling that continuance is appropriate.
Jim Greenway	Owns adjacent property to this project. Wonders how the split would be done if the property were 40 acres or more. States new development in the area should be consistent with existing development, and offers to provide a copy of the CC&R's by which he is bound.
James Caruso, staff	States there is no agricultural use on the property. Discusses parcel sizes and TDC use. States this project qualifies for TDC.
Discussion takes place	Among Board members and staff.
Susan Callado, staff	States changes to conditions will be provided in memorandum form for the next meeting.
MOTION	Thereafter, on motion by Ms. Salo, seconded by Mr. Marshall, and carried, in the absence of Mr. Nall, to continue to February 7, 2005.
4. PIERSON, County File No. S000385P / CO 01-0070	This being the time set for continued hearing to consider proposal by <b>DAVID PIERSON</b> for a Tentative Parcel Map to allow division of a 626-acre site into three parcels of 160 acres, 160 acres and 306 acres each in the Rural Lands Land Use Category. The property is located in the county approximately 2,000 feet north of Highway 58, southwest of the Huer Huero Creek at the end of Goldie Lane, east of the community of Santa Margarita, APN: 043-291-010 and -040, in the El Pomar-Estrella Planning Area. Also to be considered at the hearing will be approval of the Environmental Document prepared in accordance with the applicable provisions of the California Environmental Quality Act, Public Resources Code Section 21000 et seq. Mitigation measures identified for: Biological Resources; Drainage, Erosion & Sedimentation; Geological Hazards/Site Alteration; and Aesthetic / Cultural Resources. County File number: <b>S000385P / CO 01-0070</b> . Date application accepted: June 21, 2004 Supervisorial District #5.

Chairman Euphrat	States a letter has been received requesting withdrawal of this item.
James Caruso, staff	Confirms that is the case.
Jim Orton, County Counsel	Confirms that any applicant may withdraw his project by providing a letter stating his intention to withdraw.
ADJOURN	There being no further business to discuss, the meeting is adjourned.

Respectfully submitted,  
Lona Franklin, Secretary, Pro Tem  
County Subdivision Review Board